

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Michael Baez

Docket No. 5:11-CR-244-1D

Petition for Action on Supervised Release

COMES NOW Mindy L. Threlkeld, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Michael Baez, who, upon an earlier plea of guilty to 18 U.S.C. §§922(g)(1), and 924, Felon in Possession of a Firearm and Ammunition, was sentenced by the Honorable James C. Dever III, Chief U.S. District Judge, on February 22, 2012, to the custody of the Bureau of Prisons for a term of 34 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Michael Baez was released from custody on April 22, 2014, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant reported to the probation office on October 25, 2016, and attempted to use synthetic urine to pass a urinalysis test. When confronted, the defendant admitted that he had used marijuana on October 23, 2016, and was not expecting to be drug tested. The defendant signed an admission form admitting to the drug use and the device was confiscated off of the defendant. It is recommended that the drug aftercare condition be added so that the defendant can be placed in our Surprise Urinalysis Program and be monitored for further drug use. Additionally, we are requesting the DROPS condition be added in an effort to deter future drug use. The defendant has less than 6 months remaining towards his supervised release and has remained gainfully employed and compliant with his conditions up until this incident.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days;

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld
Mindy L. Threlkeld
Senior U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: 910-354-2539
Executed On: November 15, 2016

ORDER OF THE COURT

Considered and ordered this 21 day of November, 2016, and ordered filed and
made a part of the records in the above case.


James C. Dever III
Chief U.S. District Judge